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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA
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9 ROBERT MCCREE,

10 Plaintiff,

11 vs.

12 STATE OF CALIFORNIA DEPARTMENT OF
13 CONSERVATION *et al.*,

14 Defendants.
15

Case No.: 12-CV-04127 YGR

ORDER TO SHOW CAUSE; CONTINUING CASE
MANAGEMENT CONFERENCE

16 On January 7, 2013, the Defendants filed a unilateral case management statement for the
17 January 14, 2013 Case Management Conference because they were unable to obtain the cooperation
18 of Plaintiff in the preparation of a joint statement. According to the Declaration of Counsel, Pursuant
19 to this Court's Standing Order in Civil Case, "Joint case management statements are required and
20 must be filed seven days in advance of the initial case management conference date." Standing Order
21 in Civil Cases, ¶ 6; *see also* Civil L.R. 16-9(a) ("Unless otherwise ordered, no later than the date
22 specified in Fed. R. Civ. P. 26(f), counsel must file a *Joint* Case Management Statement") (emphasis
23 supplied).

24 Plaintiff is **ORDERED TO SHOW CAUSE** why he should not be sanctioned for failure to
25 cooperate in the preparation of a Joint Case Management Statement.


26 A hearing on this Order to Show Cause will be held on **Friday, January 25, 2013** on the
27 Court's **9:01a.m.** Calendar, in the Federal Courthouse, 1301 Clay Street, Oakland, California, in
28 Courtroom 5.

1 By no later than **Tuesday, January 22, 2013**, Plaintiff shall file either: (1) a statement that
2 he has cooperated in the preparation of a joint case management statement and that counsel for
3 Plaintiff has reviewed the Local Rules with respect to counsel's responsibilities; or (2) a written
4 response to this Order to Show Cause why he should not be sanctioned for his failure to cooperate in
5 the preparation of a joint case management statement. If the Court is satisfied with Plaintiff's
6 response, Plaintiff need not appear and the hearing will be taken off calendar. Otherwise, lead trial
7 counsel for Plaintiff must personally appear at the hearing. Neither a special appearance nor a
8 telephonic appearance will be permitted. Failure to file a written response or to appear personally
9 will be deemed an admission that no good cause exists and that the imposition of monetary sanctions
10 is appropriate.

11 The Case Management Conference set for January 14, 2013 is **CONTINUED to Monday,**
12 **January 28, 2013.** A Joint Case Management must be filed by no later than Tuesday, January 22,
13 2013.

14 **IT IS SO ORDERED.**

15 Date: January 10, 2013

16 
17 **YVONNE GONZALEZ ROGERS**
18 **UNITED STATES DISTRICT COURT JUDGE**